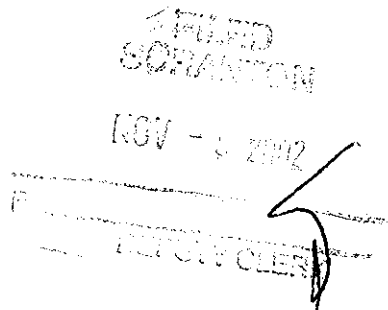


Kim Smith CT-2162  
1 Kelley Dr.  
Coal Township Pa. 17866-1021

April 30, 2002

Thomas L. James  
Chief Grievance Coordinator  
Commonwealth Of Pennsylvania  
Department of Correction  
2520 Lisburn Rd. P.O. Box 598  
Camp Hill Pa. 17001-0598



In Re: DC-ADM. 804 Final Review, Grievance No. COA-0626-01

Dear Mr. James;

In regards to your decision for the use of the C-PaP device I must ask you a few questions.

1. How could this device be used if their was not power in cell on H block and the plug sockets were so damaged that they could not be used, how could I not be compliant with medical staff ?
2. In June of 2000 how was I not in compliance with medical department for the use of the C-PaP device when in RHU ?
3. If their was no power in which to use this device how could I comply ?
4. Is it not policy of the DOC that all RHU units were to have power cut off, in this act it deprived me of health care ?
5. Had the power been on in these cells I would have been able to comply ?

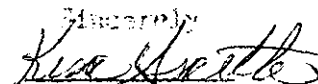
6. How can you place blame on me for what the DOC determine as policy, and then state I was non-compliant with medical staff for the use of C-PaP device when I had no control over it and then to blame me for what was not my doing and to couple it with the denial of health care shows a standard that is shocking to society and a deprivation under the color of law and for you to support this form and level of abuse and justify it as being my fault when I had no control over the issuing of power in RHU cells, how could this be my fault.

7. Sir how could I get a copy of repair record from June 2000 to this date regarding repairs to plug socket in RHU in B block at S.C.I.S. and the state wide policy in which it is stated that all RHU cell were to have power in the cells terminated, and based on this act of the DOC and act of discrimination I was denied health care namely C-PaP device, with very little care for any health care problems this denial may cause. The act of cutting off the power in these cells shows a level of indifference, and to blame me and claim I was not compliant with staff for its use. More over I never refused to use this device, more likely I was told I could not use this device because I was in RHU and how could I comply when I had not power for its use.

If you reviewed the record I'm sure you would see that there was no power in cells in RHU at S.C.I.S. and the device could not be used, moreover it would not support the denial of its use at this time, when I'm in a place where cells have power.

For these reason I must file in federal court that you knowingly and intentionally are denying me health care namely the C-PaP with a claim that I was not in compliance with staff when the true fact is there was not power in RHU cells at S.C.I.S. for its use, and that the plug sockets were so damaged that the plug sockets could not be used.

Proof of Service

Sincerely  


I certify that a true and correct copy of this letter was sent to the below listed parties by the United States Postal Service on or About May 1, 2002.

Thomas L. James Grievance Appeal Office, Clerk of Courts U.S. District Court Middle District, Mr. Tabela, Mr. Young.

Kim Smith CT-216Z  
1 Kelley Dr.  
Coal Township Pa. 17865-1021

May 1, 2002

Chief Counsel Office

*James Young Esq.*  
*301 Market St*  
*P.O. Box 1245*  
*Muncie Pa 17108-1245*

*J. J. Palaher Esq.*  
*5500y Dr*  
*Camp Hill Pa 17011*

FILED  
SCRANTON

NOV - 5 2002

PER *[Signature]*  
DEPUTY CLERK

In Re: Request for information of S.C.I.S. and Medical Records.

Dear Sir:

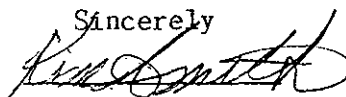
Please be advised that I was told by Ms. Kandis Dascani that I must contact your office in regards to information and before I could be granted such I must get your approval for such. At this time I'm asking to be provided with the below listed information, and request you inform staff at S.C.I.S. and S.C.I.C. to provide me with this information. This has been the 7th request for this information and I have been denied such by either your office and both institutions. Would you please see that I'm provided with such.

1. Maintenance records of RHU H block at S.C.I.S. and the condition of the plug sockets in those cells, and any and all repairs that were done from June 2000 to this date.
2. The Department of Correction Policy that states all cells in RHU are to have the power cut off, the reasoning and directive in DOC policy.
3. All relevant medical records blood test and x-ray reports and general information dealing with right shoulder problem, left knee, lower back problem, sore on body, Hep-C treatment, and reason for termination and reason for the condition worsening after

treatment'was started back, foot fungus problem, treatment for diabetes , regular Acc-U-  
cheks, and it policy for type two diabetics, Reason for the denial for C-PaP devise,  
reason for denial of night shift cook school at S.C.I.S., all Physic reports, and all  
reports of operation since July 1995.

Wherefore I'm in hopes and prayers that your office will provide me with such.

Sincerely



Proof of Service

I certify that a true and correct copy of this letter was sent to the below listed  
parties on or about May 1, 2002 and was forwarded to the United States Postal Service to  
be mailed first class mail to the below listed parties. 5-10-02

Office of the Clerk

United States District Court

Middle District of Pennsylvania

Counsel for Wexford Health

Counsel for the Department of Correction Defendants

Kim Smith

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) Mr. A. Buell RHIT		2. Date: 4-5-02	
3. By: (Print Inmate Name and Number) Kim Smith CT2162 <i>Kim Smith</i> Inmate Signature		4. Counselor's Name Mr. Thoren	
5. Unit Manager's Name Mr. Smith		6. Work Assignment F/S	
7. Housing Assignment D-2-19		8. Subject: State your request completely but briefly. Give details. I have been advised there is the CDC documentation requested in order for me to get copies for my litigation.  In the United States District Court For the Middle District of Pennsylvania  Kim Smith Plaintiff  vs James MacFarland et al  Civil Action no 1:01-0817  Judge Caldwell Mag Judge Munster  Dante Lynn James D Young Esq (717) 233-6633 James W. Williams Esq (717) 731-6444 James D Young Esq (717) 233-6633	
9. Response: (This Section for Staff Response Only) If you need any more information please advise.  Refer to K. Dascani for review 4/8/02.  I spoke with Chief Counsel's office because you have a civil action pending for this matter. If you want copies of your medical records you will have to request them through the Office of Chief Counsel. cc: Mr Buell			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

K. K. Dascani

Print

K. K. Dascani

Sign

Date

4/16/02